

# **Exhibit 26**

Some names have been changed to protect the privacy of individuals connected to this story.

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*To my wife, Jody, the greatest blessing of my life*

## MICHAEL GRIESBACH

The RAV4's ignition key found in Avery's bedroom? Planted, of course, by Colborn and Lenk.

The six spots of Avery's blood found in her car? Also planted—from a vial still kept in evidence from a post-relief conviction motion following his wrongful conviction.

And the bullet fragment found in the garage, the one fired from Avery's gun with traces of Halbach's DNA? Planted again, this time by Lenk, but perhaps with the assistance of Detective Dave Remiker, who happened to be in the garage the day it was found.

The cumulative effect of watching one disturbing episode after another was emotionally draining. A smoking gun—or, in this instance, a spot of blood with a preservative—that definitively proved the police planted evidence to frame Avery would have been easier to take. Like hundreds of thousands of other viewers, who were most likely in the same miserable hell I was, we were left hanging for hours, drawn in with the promise of an answer. In the end, we were left with more questions than answers, along with utter exhaustion and despair.

Some people can deal with uncertainty more comfortably than others. I think I can, at least concerning the big questions in life—questions of philosophy, religion, politics, and that sort of thing. I don't need ironclad certitude, for instance, to believe in the existence of God.

But *Making a Murderer* wasn't musing about life's ultimate questions. It was exploring a few practical questions and was inviting its audience to go along on the trip: Did the police plant evidence to frame Steven Avery for Teresa Halbach's murder? Was he wrongly convicted again? Considering Avery's pending lawsuit against the county, the involvement of the Manitowoc County Sheriff's Department early on in the murder investigation, and the series of what I had hoped were merely uncanny coincidences in how some of the evidence was found, these were very appro-

## INDEFENSIBLE

priate questions. A documentary is the ideal medium in which to raise these issues.

However, an unintended consequence of *Making a Murderer* is that it has invited the world to take part in a brainteasing adventure that is enormously harmful to real people with real lives. For these people, it is not an academic or cinematic exploration of the shortcomings of the criminal justice system.

Teresa Halbach's parents and her brothers and sisters, who have borne a greater burden than most of us will ever be asked to, now have to bear more. Penny Beerntsen and her family, who have dealt with the Avery case since it began thirty years ago, are bearing more pain, too. And even Sergeant Colborn and Lieutenant Lenk have been negatively and irrevocably impacted. Their sterling reputations have been forever tarnished on a scale perhaps never seen before.

These heroes—and in my mind they are exactly that—knew from the start that their personal tragedies could never be kept completely private. But they never expected that their burdens and that of their families would be shared with the entire world. They never asked for that. Nobody ever would.